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PART IV—2-C(i)

BANGALORE, WEDNESDAY, JUNE 30, 1976
(ASHADHA 9, SAKA ERA 1898).

No. 3253

HOME SECRETARIAT

Notification No. HD 16 PFS 76 (1).

Bangalore, dated 30th June 1976.

G. S. R. 177.—The draft of the following rules which the Government of Karnataka propose to make in exercise of the powers conferred by Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) is hereby published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the State Government on or before 15th July 1976.

Any objection or suggestion which may be received from any person in respect of the said draft rules by the State Government before the date specified above will be considered by the Government Objections, or suggestions may be addressed to the Commissioner for Home Affairs and Secretary to Government, Home Department, Vidhana Soudha, Post Bag No. 5351, Bangalore-1.

DRAFT RULES

1. **Title, extent and commencement**.—(1) These rules may be called the Karnataka Excise (Retail vend of Beer in Toddy Shops) Rules, 1976.

(2) They shall extend to the whole of the State of Karnataka.

(3) They shall come into force from 1st July 1976.

2. **Definitions.**—In these rules, unless the context otherwise requires.—

(a) "Act" means the Karnataka Excise Act, 1965;

(b) "Beer" means any liquor prepared from malt or grain with or without the add tion of sugar and hops and includes ale, black beer, porter, stout and spruce beer ;

(c) "Form" means a form appended to these rules ;

(d) "Licence" means a licence issued under these rules ;

(e) "Licensee" means a lessee who has obtained a lease to vend Toddy under the Karnataka Excise (Lease of right of retail vend of liquors) Rules. 1969.

(f) "Year" means year commencing on the first day of July and ending June 30th ;

(g) "Shop" means the shop licenced for retail vend of Toddy under the Karnataka Excise (Lease of right of retail vend of liquors) Rules, 1969.

3. **Application for licence.**—A licensee desiring to obtain a licence to vend Beer in retail in Toddy Shop under these rules, may make an application to the Deputy Commissioner in Form No. I. The application shall be accompanied by a Treasury Challan for having credited the licence fee prescribed in rule 6.

4. **Grant of licence** —On receipt of the application under rule 3 the Deputy Commissioner may after making such enquiry for purposes of verification of the particulars furnished by the applicant and if he is satisfied that there is no objection to the grant of licence for retail vend of Beer in Toddy shop, he may, grant the licence in Form No. II.

5. Duration of licence.—The licence shall be valid for the year or where a licence is obtained on any date after the first July until the 30th June thereafter.

6. Licence Fee.—The licence fee for grant of the licence under rule 4 shall be Rs. 25 p. m.

7. Licensee to abide by rules.—Every licensee shall be bound to observe the provisions of the Karnataka Excise Act, 1965 and rules, regulations or orders made thereunder from time to time.

By Order and in the name of the Governor of Karnataka,

M. P. JAYASHANKARA ARADHYA,
Under Secretary to Government,
Home Department.

FORM No. I

(*See* Rule 3)

APPLICATION FOR GRANT OF LICENCE

1. Name and address of the Applicant	
2. If the applicant is a Company or Firm the names and addresses of the Director or Partners of Company or Firm	
3. The Location of the premises where the applicant intends to conduct the business under a licence	
4. Whether the applicant/Firm is licenced to vend Toddy under the Karnataka Excise (Lease of right of retail vend of liquors) Rules, 1969	

5. Particulars of licence held by him/them for retail vend of Toddy	
6. Whether the licence fee of Rs 25 P.M prescribed under these rules is paid; if so the application shall be accompanied by a Treasury Challan for having credited the licence fee prescribed	

Place :
Dated : APPLICANT

FORM No. II
(*See* Rule 4)

PART—A

LICENSE FOR THE SALE OF BEER IN LICENCED TODDY SHOPS

Rigister Numter		
Name of the License Holder		
Name o' the Agent or Vendor		
Locality	Town Street Door No.	

I,..... ..... the Deputy Commissioner, ... District in consideration of the payment o' the prescribed licence fee of Rs. 25 P.M. (Rupees Twenty-five) only do hereby authorise Sri .... S/o Sri .... residing in..... to sell Beer at premises No. .... situated in ..... subject to the conditions prescribed in Part 'B' appended below :—

Schedule showing the boundaries of the Toddy Shop

Street, Door No. and other particulars	Bounded on the North by	East by	South by	West by	Remarks

SEAL

Place :

Dated :

....., *Deputy Commissioner,* ..... *District.*

PART - B

CONDITIONS

(1) The Licensee shall be bound by the provisions of the Karnataka Excise Act, 1965 and any general or special rules prescribed or which may from time to time be prescribed thereunder.

(2) The privilege under this licence is restricted to sale of Beer in Toddy Shops only.

(3) The holder of this licence shall upon requisition by any officer not below the rank of Sub-Inspector of Excise be bound to produce before such officer the original Invoice showing the purchase of Beer for the sale of which this licence is granted for inspection and to give samples of Beer in the shop to be tested.

(4) The Licensee is bound to maintain separate correct accounts of daily transactions of each brand of Beer and submit the returns monthly to the jurisdictional Inspector of Excise within the first week of the next following month.

(5) The Licensee shall use metric measures only approved by the Weights and Measures Department.

(6) The License shall not be transferable wtihout the previous sanction of the Excise Commissioner.

(7) The agent or the Vendor, as the case may be, shall equally with the License holder be responsible for breach of any of the conditions of the licence.

(8) The shop shall have only one door both for entry and exit.

(9) The Licensee shall fix in a conspicuous place outside his shop a Board on which shall ligibly be painted his name, number of his shop and the article he is licensed to deal in.

(10) If a Vendor opens a cask of a particular brand of Beer and puts on tap, he should not open another cask of the same brand until the previous cask is emptied.

(11) The License may be suspended or cancelled in accordance with the proivsions of Section 29 of the Act and the Licensee or his employee shall be liable for Prosecution of breach of any conditions of license under the provisions of the Act or the Rules and orders passed thereunder.

(12) The license shall continue to be in force till 30th of June.....

(13) Beer shall be sold only for consumption in the premises.

(14) The opening and closing hours of the shop of sale of Beer shall be from 6-00 A.M. to 9-30 P.M.

.....

Deputy Commissioner, ... District.

rm B. P. No. 1 Brand.....

Account Book of.....License holder of retail vend
er No. in Toddy Shop

Date	Opening Balance		Receipts				Total		Issues		Closing Balance		Remarks
	Bulk	Bottels	From whom	Permit No. & Date	Quantity Bulk	Quantity Bottles	Bulk	Bottles	Bulk	Bottles	Bulk	Bottles	
2	3	4	5	6	7	8	9	10	11	12	13	14	15

Signature of the Licensee Holder.

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